

In the claims:

1. (Currently Amended) ~~A trade secret accounting system, for providing documentation, analysis, auditing, accounting, protection, and other management of trade secrets of an organization~~ programmed computer based upon the six factors of a trade secret from the First Restatement of Torts for identifying trade secrets within a plurality of potential trade secrets of a business, where each of the plurality of potential trade secrets comprises information, said system programmed computer comprising:

a) ~~data processing means within the programmed computer for performing indexing of trade secrets, accessing and storing data about or relating to trade secrets, and performing calculations about or relating to trade secrets~~ providing a predetermined criteria for evaluating a potential trade secret of the plurality of potential trade secrets under each of the six factors of a trade secret from the First Restatement of Torts, said six factors including (1) the extent to which the information is known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken by the business to guard the secrecy of the information; (4) the value of the information to the business and its competitors; (5) the amount of time, effort or money expended by the business in developing the information and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others;

b) ~~user interface means within the programmed computer for entering data from a trade secret applicant and for displaying data and the results of searches and calculations~~ receiving a numerical score value for the potential trade secret under the predetermined criteria for each of the six factors; and

c) ~~mass data storage~~ means within the programmed computer for storing data entered into the system, as well as the programs required to implement the system, and the results of searches and calculations performed by the system, wherein said trade secret accounting system is only used for trade secret intellectual property calculating a metric from the received numerical score values under the six factors; and

d) means within the programmed computer for ranking the potential trade secret with regard to another potential trade secret found among the plurality of potential trade secrets based upon the calculated metric.

2. (Currently Amended) The programmed computer system of claim 1, further comprising printer means for printing out data, displays, and the results of searches and calculations.

3. (Currently Amended) The programmed computer system of claim 1, further comprising system interface means for providing user interface functions, printing functions, or mass data storage functions through the use of another computer system, or for connection to the registration system.

4. (Currently Amended) The programmed computer system of claim 1, further comprising means for indexing trade secret drafts.

5. (Currently Amended) The programmed computer system of claim 1, further comprising means for indexing trade secret applications.

6. (Currently Amended) The programmed computer system of claim 1, further comprising:

a) means for indexing trade secret drafts;

- b) means for indexing trade secret applications; and
- c) means for converting trade secret drafts into trade secret applications.

7. (Currently Amended) The programmed computer system of claim 1, further comprising means for storing changes to the data to provide audit trail and history of all changes.

8. (Currently Amended) The programmed computer system of claim 1, further comprising means for characterizing whether the trade secret constitutes negative know-how.

9. (Currently Amended) The programmed computer system of claim 1, further comprising means for characterizing whether the trade secret is a combinational trade secret.

10. (Currently Amended) The programmed computer system of claim 1, further comprising means for specifying security measures by company location.

11. (Currently Amended) The programmed computer system of claim 10, further comprising means for associating said specified security measures with a trade secret based on one or more company locations associated with a trade secret.

12. (Currently Amended) The programmed computer system of claim 1, further comprising means for specifying security measures used to protect a trade secret.

13. (Currently Amended) The programmed computer system of claim 12, further comprising means for calculating from said specified security measures a security measures factor for a trade secret.

14. (Currently Amended) The programmed computer system of claim 1, further comprising means for specifying security threats to a trade secret.

15. (Currently Amended) The programmed computer system of claim 14, further comprising means for calculating from said specified security threats a security threats factor for a trade secret.

16. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying security measures used to protect a trade secret;
- b) means for specifying security threats to a trade secret; and
- c) means for entering and recording which security measures counteract each security threat.

17. (Currently Amended) The programmed computer system of claim 16, further comprising means for determining which security measures are needed for each trade secret based on the security threats to each trade secret.

18. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying security measures by company location;
- b) means for specifying security threats to a trade secret;
- c) means for entering and recording which security measures counteract each security threat;
- d) means for determining which security measures are needed for each trade secret based on the security threats to each trade secret; and

e) means for determining which security measures needed for each trade secret based on the security threats to each trade secret are also available at the company location.

19. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying security measures used to protect a trade secret;
- b) means for calculating from said specified security measures a security measures factor for a trade secret;
- c) means for specifying security threats to a trade secret;
- d) means for calculating from said specified security threats a security threats factor for a trade secret-; and
- e) means for calculating from the security measures factor and security threats factor a ratio associated with a trade secret.

20. (Currently Amended) The programmed computer system of claim 19, further comprising means for analyzing said ratio to identify outlying values for further inspection.

21. (Currently Amended) The programmed computer system of claim 1, further comprising means for specifying values for the six factors of a trade secret enumerated in Section 757 of the First Restatement of Torts.

22. (Currently Amended) The programmed computer system of claim 21, further comprising means for calculating various weighted values of the six factors using logical and mathematical equations to generate a single defendability factor associated with a trade secret.

23. (Currently Amended) The programmed computer system of claim 22, further comprising means for analyzing said defendability factor to identify outlying values for further inspection.

24. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying security measures used to protect a trade secret;
- b) means for calculating from said specified security measures a security measures factor for a trade secret;
- c) means for specifying values for the six factors of a trade secret enumerated in Section 757 of the First Restatement of Torts;
- d) means for calculating various weighted values of the six factors using logical and mathematical equations to generate a single defendability factor associated with a trade secret; and
- e) means for calculating from the security measures factor and the single defendability factor a ratio associated with a trade secret.

25. (Currently Amended) The programmed computer system of claim 24, further comprising means for analyzing said ratio to identify outlying values for further inspection.

26. (Currently Amended) The programmed computer system of claim 1, further comprising means for determining employee exposure to a trade secret based on the organization and the date range within which he or she was employed and the organization and the date range within which the trade secret was known within that organization.

27. (Currently Amended) The programmed computer system of claim 1, further comprising means for determining employee exposure to a trade secret based on the company location and the date range within which he or she was employed and the company location and the date range within which the trade secret was known within that company location.

28. (Currently Amended) The programmed computer system of claim 1, further comprising:

a) means for determining employee exposure to a trade secret based on the organization and the date range within which he or she was employed and the organization and the date range within which the trade secret was known within that organization;

b) means for determining employee exposure to a trade secret based on the company location and the date range within which he or she was employed and the company location and the date range within which the trade secret was known within that company location; and

c) means for generating a report documenting the employee exposure to a trade secret based on the organization and the company location and the date range within which the trade secret was known within that organization or company location.

29. (Currently Amended) The programmed computer system of claim 28, further comprising means for characterizing employee exposure to company trade secrets in one or more employee exposure factors.

30. (Currently Amended) The programmed computer system of claim 1, further comprising means for characterizing security risk

associated with an employee's position in the company in one or more employee position risk factors.

31. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for determining employee exposure to a trade secret based on the organization and the date range within which he or she was employed by the organization and the date range within which the trade secret was known within that organization;
- b) means for determining employee exposure to a trade secret based on the company location and the date range within which he or she was employed and the company location and the date range within which the trade secret was known within that company location;
- c) means for generating a report documenting the employee exposure to a trade secret based on the organization and the company location and the date range within which the trade secret was known within that organization or company location;
- d) means for characterizing employee exposure to company trade secrets in one or more employee exposure factors;
- e) means for characterizing security risk associated with an employee's position in the company in one or more employee position risk factors; and
- f) means for calculating from one or more employee exposure factors and one or more employee position risk factors an employee risk factor.

32. (Currently Amended) The programmed computer system of claim 1, further comprising means for archiving employee confidentiality agreements and the dates on which the employee confidentiality agreements were executed.

33. (Currently Amended) The programmed computer system of claim 1, further comprising means for determining a renewal period for employee confidentiality agreements from elements of employee data, employee factors, and employee reports.

34. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for archiving employee confidentiality agreements and the dates on which the employee confidentiality agreements were executed;
- b) means for determining a renewal period for employee confidentiality agreements from elements of employee data, employee factors, and employee reports; and
- c) means for calculating employee confidentiality agreements due for renewal.

35. (Currently Amended) The programmed computer system of claim 34, further comprising means for generating for viewing or printing a report listing employee confidentiality agreements due for renewal.

36. (Currently Amended) The programmed computer system of claim 34, further comprising means for printing employee confidentiality agreements due for renewal.

37. (Currently Amended) The programmed computer system of claim 1, further comprising means for archiving employee confidentiality reminders and the dates on which the employee confidentiality reminders were sent.

38. (Currently Amended) The programmed computer system of claim 1, further comprising means for determining a renewal period for employee confidentiality reminders from elements of employee data, employee factors, and employee reports.

39. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for archiving employee confidentiality reminders and the dates on which the employee confidentiality reminders were sent;
- b) means for determining a renewal period for employee confidentiality reminders from elements of employee data, employee factors, and employee reports; and
- c) means for calculating employee confidentiality reminders due for renewal.

40. (Currently Amended) The programmed computer system of claim 39, further comprising means for generating for viewing or printing a report listing employee confidentiality reminders due for renewal.

41. (Currently Amended) The programmed computer system of claim 39, further comprising means for printing employee confidentiality reminders due for renewal.

42. (Currently Amended) The programmed computer system of claim 41, further comprising means for retaining proof-of-receipt documents for hard-copy employee confidentiality reminders.

43. (Currently Amended) The programmed computer system of claim 39, further comprising means for emailing employee

confidentiality reminders due for renewal directly to the employee.

44. (Currently Amended) The programmed computer system of claim 43, further comprising means for retaining proof-of-receipt documents for e-mail employee confidentiality reminders.

45. (Currently Amended) The programmed computer system of claim 1, further comprising means for creating a specification of the type of a trade secret using alphabetic, numeric, or alphanumeric fields to characterize information about the type of trade secret.

46. (Currently Amended) The programmed computer system of claim 45, further comprising means for encoding said specification of the type of a trade secret.

47. (Currently Amended) The programmed computer system of claim 1, further comprising means for calculating the net present value of a trade secret from an estimated commercial value on a given date and a depreciation or appreciation method.

48. (Currently Amended) The programmed computer system of claim 47, further comprising means for characterizing the net present value of a trade secret in a net present value factor.

49. (Currently Amended) The programmed computer system of claim 1, further comprising:

a) means for specifying security measures used to protect a trade secret;

b) means for calculating from said specified security measures a security measures factor for a trade secret;

- c) means for calculating the net present value of a trade secret from an estimated commercial value on a given date and a depreciation or appreciation method;
- d) means for characterizing the net present value of a trade secret in a net present value factor; and
- e) means for calculating from the security measures factor and the net present value factor a ratio associated with a trade secret.

50. (Currently Amended) The programmed computer system of claim 49, further comprising means for analyzing said ratio to identify outlying values for further inspection.

51. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying values for the six factors of a trade secret enumerated in Section 757 of the First Restatement of Torts;
- b) means for calculating the net present value of a trade secret from an estimated commercial value on a given date and a depreciation or appreciation method;
- c) means for characterizing the net present value of a trade secret in a net present value factor; and
- d) means for calculating from the economic benefit factor and the net present value factor a ratio associated with a trade secret.

52. (Currently Amended) The programmed computer system of claim 51, further comprising means for analyzing said ratio to identify outlying values for further inspection.

53. (Currently Amended) The programmed computer system of claim 1, further comprising means for specifying source status of a trade secret.

54. (Currently Amended) The programmed computer system of claim 1, further comprising means for recording purchase and licensed-from data of a trade secret.

55. (Currently Amended) The programmed computer system of claim 1, further comprising means for specifying licensing status of a trade secret.

56. (Currently Amended) The programmed computer system of claim 1, further comprising means for recording sale and licensed-to data of a trade secret.

57. (Currently Amended) The programmed computer system of claim 1, further comprising means for splitting data associated with selected trade secrets from one database into a separate database.

58. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for indexing trade secret drafts;
- b) means for splitting data associated with selected trade secrets from one database into a separate database; and
- c) means for modifying the alphabetic or alphanumeric sequence of the trade secret draft identifier of selected trade secrets when splitting data associated with said trade secrets into a separate database.

59. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for indexing trade secret applications;
- b) means for splitting data associated with selected trade secrets from one database into a separate database; and
- c) means for modifying the alphabetic or alphanumeric sequence of the trade secret application identifier of selected trade secrets when splitting data associated with said trade secrets into a separate database.

60. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying source status of a trade secret;
- b) means for splitting data associated with selected trade secrets from one database into a separate database; and
- c) means for modifying the source status of selected trade secrets when splitting data associated with said trade secrets into a separate database.

61. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for recording purchase and licensed-from data of a trade secret;
- b) means for splitting data associated with selected trade secrets from one database into a separate database; and
- c) means for modifying the purchase and licensed-from data of selected trade secrets when splitting data associated with said trade secrets into a separate database.

62. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying licensing status of a trade secret;

- b) means for splitting data associated with selected trade secrets from one database into a separate database; and
- c) means for modifying the licensing status of selected trade secrets when splitting data associated with said trade secrets into a separate database.

63. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for recording sale and licensed-to data of a trade secret;
- b) means for splitting data associated with selected trade secrets from one database into a separate database; and
- c) means for modifying the sale and licensed-to data of selected trade secrets when splitting data associated with said trade secrets into a separate database.

64. (Currently Amended) The programmed computer system of claim 1, further comprising means for merging data associated with selected trade secrets from two databases into a single database.

65. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for indexing trade secret drafts;
- b) means for merging data associated with selected trade secrets from two databases into a single database; and
- c) means for modifying the alphabetic or alphanumeric sequence of the trade secret draft identifier of selected trade secrets when merging data associated with said trade secrets into a single database.

66. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for indexing trade secret applications;
- b) means for merging data associated with selected trade secrets from two databases into a single database; and
- c) means for modifying the alphabetic or alphanumeric sequence of the trade secret application identifier of selected trade secrets when merging data associated with said trade secrets into a single database.

67. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying source status of a trade secret;
- b) means for merging data associated with selected trade secrets from two databases into a single database; and
- c) means for modifying the source status of selected trade secrets when merging data associated with said trade secrets into a single database.

68. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for recording purchase and licensed-from data of a trade secret;
- b) means for merging data associated with selected trade secrets from two databases into a single database; and
- c) means for modifying the purchase and licensed-from data of selected trade secrets when merging data associated with said trade secrets into a single database.

69. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for specifying licensing status of a trade secret;
- b) means for merging data associated with selected trade secrets from two databases into a single database; and

c) means for modifying the licensing status of selected trade secrets when merging data associated with said trade secrets into a single database.

70. (Currently Amended) The programmed computer system of claim 1, further comprising:

- a) means for recording sale and licensed-to data of a trade secret;
- b) means for merging data associated with selected trade secrets from two databases into a single database; and
- c) means for modifying the sale and licensed-to data of selected trade secrets when merging data associated with said trade secrets into a single database.

71. (Currently Amended) A programmed computer trade secret registration system, for providing registration and verification of the existence, ownership, contents, and other information relating to a trade secrets, said system programmed computer comprising:

- a) data processing means within the programmed computer for performing indexing of trade secrets, accessing and storing data about or relating to trade secrets, and performing calculations about or relating to trade secrets receiving application fingerprints associated with the trade secret;
- b) user interface means within the programmed computer for entering data from a trade secret applicant and for displaying data and the results of searches and calculations calculating a certificate fingerprint from the application fingerprints;
and
- c) mass data storage means within the programmed computer for storing data entered into the system, as well as the programs required to implement the system, and the results of searches

~~and calculations performed by the system, wherein said trade secret registration system is only used for trade secret intellectual property indexing the certificate fingerprint.~~

72. (Currently Amended) The programmed computer system of claim 71, further comprising printer means for printing out data, displays, and the results of searches and calculations.

73. (Currently Amended) The programmed computer system of claim 71, further comprising system interface means for providing user interface functions, printing functions, or mass data storage functions through the use of another computer system, or for connection to the accounting system.

74. (Currently Amended) The programmed computer system of claim 71, further comprising means for associating more than one application fingerprint with a single trade secret.

75. (Currently Amended) The programmed computer system of claim 71, further comprising means for registering more than one application fingerprint with a single trade secret.

76. (Currently Amended) The programmed computer system of claim 71, further comprising means for registering an additional application fingerprint with a trade secret previously registered.

77. (Currently Amended) The programmed computer system of claim 71, further comprising means for registering an application fingerprint associated with other data in the same registration record database with trade secret registrations.

78. (Currently Amended) The programmed computer system of claim 71, further comprising means for maintaining a directory of registration information.

79. (Currently Amended) The programmed computer system of claim 78, further comprising means for publishing a directory of registration information.

80. (Currently Amended) The programmed computer system of claim 79, further comprising means for publishing a directory of registration information on a limited basis.

81. (Currently Amended) The programmed computer systems of claims 1 or 71, further comprising means for communicating data between the systems, forming in effect a single system.

82. (Currently Amended) The programmed computer system of claim 81, further comprising means for detecting corruption in the trade secret registration database.

83. (Currently Amended) The programmed computer system of claim 81, further comprising means for detecting corruption in the trade secret registration database during normal operation.

84. (Currently Amended) The programmed computer system of claim 81, further comprising means for locating corruption in the trade secret registration database.

85. (Currently Amended) The programmed computer system of claim 71, further comprising means for making contemporaneous backups of transactions performed by the trade secret registration system.

86. (Currently Amended) The programmed computer system of claim 71, further comprising means for providing multiple registration records with an additional index number to create a registration that may have multiple entries.

87. (Currently Amended) The programmed computer system of claim 86, further comprising means for creating a registration record without said additional index number to accommodate registrations with single entries in the same registration record database as those with multiple entries.

88. (Currently Amended) The programmed computer system of claim 71, further comprising means for creating an additional registration record with an index number already in use to create a registration with multiple entries that span a time period.

89. (Currently Amended) The programmed computer system of claim 71, further comprising means for creating a registration record without said index number to accommodate registrations of a non-indexed type in the same registration record database as those of the indexed type.

90. (Currently Amended) The programmed computer system of claim 71, further comprising means for occasionally recalculating certificate fingerprints in order to provide an indication of database corruption.

91. (Currently Amended) The programmed computer system of claim 71, further comprising means for continuously recalculating certificate fingerprints in order to provide an indication of database corruption.

92. (Currently Amended) The programmed computer system of claim 81, further comprising means for transmitting by the trade secret accounting system to the trade secret registration system the certificate identifier of the previous certificate with a new request to provide a check of the database integrity to provide an indication of database corruption.

93. (Currently Amended) The programmed computer system of claim 81, further comprising means for transmitting by the trade secret registration system to the trade secret accounting system previously granted certificates as a request to verify these certificates and return an indication of their status.

94. (Currently Amended) The programmed computer system of claim 81, further comprising:

- a) means for continuously recalculating certificate fingerprints in order to provide an indication of database corruption;
- b) means for transmitting by the trade secret accounting system to the trade secret registration system the certificate identifier of the previous certificate with a new request to provide a check of the database integrity to provide an indication of database corruption; and
- c) means for determining the location of the data corruption from the said return indications.

95. (Currently Amended) The programmed computer system of claim 81, further comprising:

- a) means for continuously recalculating certificate fingerprints in order to provide an indication of database corruption;

b) means for transmitting by the trade secret registration system to the trade secret accounting system previously granted certificates as a request to verify these certificates and return an indication of their status; and means for determining the location of the data corruption from the said return indications.

96. (Withdrawn).

97. (Withdrawn).

98. (Withdrawn).

99. (Withdrawn).

100. (Withdrawn).

101. (Withdrawn).

102. (Withdrawn).

103. (Withdrawn).

104. (Withdrawn).

105. (Withdrawn).

106. (Withdrawn).

107. (Withdrawn).

108. (Withdrawn).

109. (Withdrawn).

110. (Withdrawn).

111. (Withdrawn).

112. (Withdrawn).

113. (Withdrawn).

114. (Withdrawn).

115. (Withdrawn).

116. (Withdrawn).

117. (Withdrawn).

118. (Withdrawn).

119. (New) A programmed computer method based upon the six factors of a trade secret from the First Restatement of Torts for identifying trade secrets within a plurality of potential trade secrets of a business, where each of the plurality of potential trade secrets comprise information, said method implemented by the programmed computer to effect the following steps:

a) the programmed computer providing a predetermined criteria for evaluating a potential trade secret of the plurality of potential trade secrets under each of the six factors of a trade secret from the First Restatement of Torts, said six factors including (1) the extent to which the information is

known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken by the business to guard the secrecy of the information; (4) the value of the information to the business and its competitors; (5) the amount of time, effort or money expended by the business in developing the information and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others;

b) the programmed computer receiving a numerical score value for the potential trade secret under the predetermined criteria for each of the six factors;

c) the programmed computer calculating a metric from the received numerical score values under the six factors; and

d) the programmed computer determining that the potential trade secret is a trade secret when the calculated metric exceeds a predetermined threshold value.

120. (New) A programmed computer based upon the six factors of a trade secret from the First Restatement of Torts for identifying trade secrets within a plurality of potential trade secrets of a business, where each of the plurality of potential trade secrets comprise information, said method implemented by the programmed computer to effect the following steps:

a) the programmed computer providing a predetermined criteria for evaluating a potential trade secret of the plurality of potential trade secrets under each of the six factors of a trade secret from the First Restatement of Torts, said six factors including (1) the extent to which the information is known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken by the business to guard the secrecy of the information; (4) the value of the information to the business

and its competitors; (5) the amount of time, effort or money expended by the business in developing the information and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others;

b) the programmed computer receiving a numerical score value for the potential trade secret under the predetermined criteria for each of the six factors;

c) the programmed computer calculating a metric from the received numerical score values under the six factors;

d) the programmed computer ranking the potential trade secret with regard to another potential trade secret found among the plurality of potential trade secrets based upon the calculated metric.

121. (New) A programmed computer based upon the six factors of a trade secret from the First Restatement of Torts for identifying trade secrets within a plurality of potential trade secrets of a business, where each of the plurality of potential trade secrets comprise information, said programmed computer comprising:

a) means within the programmed computer for providing a predetermined criteria for evaluating a potential trade secret of the plurality of potential trade secrets under each of the six factors of a trade secret from the First Restatement of Torts, said six factors including (1) the extent to which the information is known outside of the business; (2) the extent to which it is known by employees and others involved in the business; (3) the extent of measures taken by the business to guard the secrecy of the information; (4) the value of the information to the business and its competitors; (5) the amount of time, effort or money expended by the business in developing the information and (6) the ease or difficulty with which the information could be properly acquired or duplicated by others;

b) means within the programmed computer for receiving a numerical score value for the potential trade secret under the predetermined criteria for each of the six factors;

c) means within the programmed computer for calculating a metric from the received numerical score values under the six factors;

d) means within the programmed computer for determining that the potential trade secret is a trade secret when the calculated metric exceeds a predetermined threshold value.